

Minutes of Land Use, Parks and Environment (LUPE) Committee
Tuesday, September 16, 2014

Secretary Jennifer Grant called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Committee Present: Supervisors Jim Batzko, Eric Highum, Tom Schellinger Jennifer Grant, Keith Hammitt. **Absent:** Walter Kolb, Pauline Jaske.

Also Present: Legislative Policy Advisor Sarah Spaeth, Administrative Specialist Karen Phillips, Planning and Zoning Manager Jason Fruth, County Board Chairman Paul Decker, Attorney Kim Haines, Senior Land Use Specialist Amy Barrows, Parks and Land Use Director Dale Shaver, Business Manager Peter Mudek, Park System Manager Dave Burch, Budget Management Specialist Bill Duckwitz.

Approve Minutes of August 19, 2014

MOTION: Schellinger moved, second by Highum to approve the minutes of August 19, 2014. Motion carried 5-0.

Executive Committee Report of September 8, 2014

Spaeth summarized the items discussed at the September 8 Executive Committee meeting:

- Proposed Scope of Register of Deeds Audit
- 2015-2019 Capital Projects Plan

Correspondence

- Email announcing the 2014 Southeast Area Fall Tour, to be held on Tuesday, October 14 in Ozaukee County.
- Letter from WI DNR regarding tentative Knowles-Nelson Stewardship Program grant award for the Village of Pewaukee.
- Letter from WI DNR regarding tentative Knowles-Nelson Stewardship Program grant award for the City of Waukesha.
- Email correspondence from Susan Langer of Sussex to Supervisor Batzko regarding concerns about the Bugline Trail. (Spaeth will forward a copy of the email to appropriate Parks and Land Use staff.)

Future Meeting Dates

- October 7, 2014
- October 21, 2014

Ordinance 169-O-052: Year 2014 Approval Of Amendment To The Comprehensive Development Plan For Waukesha County (Cyrus Peterson, Section 13, T8N, R17E, Town Of Oconomowoc)

Fruth discussed this ordinance which proposes to amend the County Development Plan designation for a portion of a 37 acre parcel, located in the Town of Oconomowoc, from the Farmland Preservation category to the Suburban I Density Residential category in order to create a 2.86 acre parcel for the petitioner's grandson to construct a residence.

Fruth pointed out the location of the property on an aerial photograph. He explained the reason for the out-of-sequence Comprehensive Development Plan amendment request is that the petitioner had previously petitioned the Town for a land use plan amendment, but it was not approved. As an alternative to a land use plan amendment the Town had advised the petitioner that he might pursue using the A-T zoning district provisions for creation of a parcel for a parent or child; however, such a proposal would not comply with the current County Farmland Preservation Plan density

requirements of one dwelling unit per 35 acres. It would not apply because the property already contains a residence and the exemption for certain family members to create lots does not extend to grandchildren of landowners. Therefore, the petitioner discussed other alternatives with Town and County staff and he ultimately decided to seek a land use amendment for only the 2.8 acres that would become a new lot and building site. Planning and zoning staff recommend approval of the request. The rezone would affect just 2.8 acres of land. The subject land is immediately adjacent to a road extension and the proposed plan category will match the plan designation of immediately adjacent lands.

MOTION: Schellinger moved, second by Highum to approve Ordinance 169-O-052.

Highum asked if the only way to access the farmland is through the subdivision. Fruth stated yes, a provision is in place and area land owners are aware of what to expect.

Hammitt asked, hypothetically, how many grandchildren does the petitioner have and how many more requests like this could there be in the future? Fruth stated that for the future the County would possibly explore zoning density, i.e. how many parcels would be allowed in a 35 acre density scheme.

Motion carried 5-0.

Ordinance 169-O-053: Amend The District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ Of The SE ¼ Of Section 13, T8N, R17E, Town Of Oconomowoc, Waukesha County, Wisconsin, From The A-T Agricultural Land Preservation Transition District To The A-3 Suburban Estate District (SCZ-1791)

Fruth explained the rezone request is associated with Ordinance 169-O-052. He stated the request is to rezone the property from the A-T Agricultural Land Preservation Transition District to the A-3 Suburban Estate District. The A-3 District is appropriate because of the proposed parcel size and because the abutting lands are also zoned A-3. Planning and zoning staff recommend approval subject to the approval of the amendment of the County Development Plan as proposed in Ordinance 169-O-052.

MOTION: Schellinger moved, second by Hammitt to approve Ordinance 169-O-053. Motion carried 5-0.

Ordinance 169-O-054: Amend The District Zoning Map Of The Waukesha County Shoreland And Floodland Protection Ordinance And The Waukesha County Zoning Code For The Town Of Genesee By Rezoning Certain Lands Located In Part Of The NW ¼ And The NE ¼ Of Section 27, T6N, R18E, Town Of Genesee, Waukesha County, Wisconsin, From The R-2 Residential District To The R-3 Residential District (SCZ-1786)

Fruth discussed this ordinance which proposes to rezone 44 properties in the Town of Genesee to the R-3 Residential District to place the properties in a zoning category that is more compatible with the typical lot size conditions in the area.

Fruth explained this rezone request was precipitated by an individual who wished to remodel a duplex without legal zoning status. The resident was advised that duplexes were not an allowable use in the R-2 Residential District. The properties subject to this rezone request are lots or parts of lots located within the Genesee Subdivision Plat recorded in 1890 and do not comply with the minimum lot size requirement of the existing R-2 Residential District of 30,000 sq. ft. The Town decided that instead of just rezoning one property, they would do an area wide rezone. The Town is requesting a rezone of these properties to the R-3 Residential District, which requires a minimum lot size of 20,000 sq. ft. The R-3 District would have less stringent regulations relative to minimum lot area required and would

offer the option of additional multi-family uses. Fruth explained that multi-family uses are allowed in the R-3 District with a Conditional Use Permit.

Based upon the above information, the Planning and zoning staff recommends approval of the Town's request to rezone the properties from the R-2 Residential Zoning District to the R-3 Residential Zoning District. The lots pre-date zoning regulations and the affected parcels are consistent with the lot size requirements of the R-3 Residential District. The proposed zoning district is compatible with the surrounding land uses and the applicable land use plans.

MOTION: Batzko moved, second by Schellinger to approve Ordinance 169-O-054. Motion carried 5-0.

Ordinance 169-O-055: Amend The Waukesha County Shoreland And Floodland Protection Ordinance To Adopt FEMA Floodplain Mapping And Studies By Reference And Amend Various Floodplain Provisions To Comply With FEMA Regulations (SZ-1793)

Fruth and Barrows were present to discuss this ordinance which proposes to incorporate the new official FEMA floodplain maps and DNR floodplain storage maps for the Rock River Basin and other floodplain text amendments to the Waukesha County Shoreland and Floodland Protection Ordinance in order to comply with FEMA requirements.

Fruth highlighted a number of notable changes. Planning and zoning staff recommend approval of the proposed text amendment ordinance subject to the following condition:

- Any technical corrections requirement by the DNR, FEMA or Waukesha County Corporation Counsel's office to the proposed floodplain ordinance amendments shall be incorporated into the final ordinance text.

As conditioned, the text amendments will adhere to FEMA and DNR requirements for the County's administration and projection of 100-year floodplain areas. The incorporation of the new Rock River Basin floodplain mapping into the County ordinance will change regulated floodplain elevations on a number of waterways to be consistent with the most recent FEMA floodplain studies, as required by Federal and State law.

MOTION: Hammitt moved, second by Batzko to approve Ordinance 169-O-055. Motion carried 5-0.

Review and Discuss the 2015–2019 Capital Projects Plan – Items 38-46

Shaver reviewed the following capital projects relative to the Department of Parks and Land Use:

Item 38 Orthophotography-As planned. In 2015, advanced light detection and ranging (LiDAR) technology will be used to create a new high precision digital terrain model and a one-foot topographic base file to capture changes in the terrain and monitor changes in floodplain elevations.

MOTION: Hammitt moved, second by Batzko to support Item 38-Orthophotography as presented. Motion carried. 5-0.

Item 39 Waukesha-Brookfield Multi-Use Trail-As planned. The proposed bike trail is a north-south connector trail between Waukesha to Brookfield and will run along an abandoned railroad corridor. Shaver further discussed the multiple funding sources for this project, which include grant and DNR stewardship funds.

Highum opined that \$750,000 per mile for a four- mile bike path is expensive – how can the cost be justified? A road could be built for that amount of money. Shaver and Burch expounded on the scope of the project to justify the costs.

MOTION: Hammitt moved, second by Schellinger to support Item 39-Waukesha-Brookfield Multi-Use Trail as presented. Motion carried 3-2 (Grant, Highum).

Item 40 Park Beach Area Renovations- As planned. Shaver displayed renderings of the proposed renovations. In 2015, the County will conduct a feasibility/site analysis of an existing 1940's era beach house at Mukwonago Park for renovation, relocation or a combination of both. Design and construction work planned for 2017 and 2018 pertains to Minooka Park.

Shaver stated that Supervisor Yerke expressed concerns to the Executive Committee about delays of the Mukwonago project and requested that language be added to the project sheet relative to the beach house at Mukwonago Park. Shaver stated projects are scheduled according to need and he cannot guarantee that any particular project can be done on a specific date.

MOTION: Hammitt moved, second by Schellinger to support Item 40-Park Beach Area Renovations as presented. Motion carried 5-0.

Item 41 Parks Restroom Renovation-Shaver reviewed the changes to the scope and budget of this project including the projected timeline for replacement of picnic shelters and restrooms in Minooka and Mukwonago Parks.

MOTION: Hammitt moved, second by Schellinger to support Item 41-Parks Restroom Renovation as presented. Motion carried 5-0.

Item 42 Energy Efficiency Improvements-This project is a joint endeavor between the Departments of Public Works and Parks and Land Use. The final lighting projects will focus on buildings, parking lot lighting and interior lighting at park facilities. All of the proposed projects have a moderate to high return on investment (ROI).

MOTION: Highum moved, second by Hammitt to support Item 42-Energy Efficiency Improvements as presented. Motion carried 5-0.

Item 43 Wanaki Golf Course Bridge Replacement-This project proposes reducing six current bridges down to three or four structures. Construction will be delayed until a consultant performs a cash flow analysis to determine whether any operational adjustments are necessary.

MOTION: Batzko moved, second by Schellinger to support Item 43-Wanaki Golf Course Bridge Replacement as presented. Motion carried 5-0.

Item 44 Camp Pow Wow Expansion-New project. Shaver displayed a rendering of the proposed expansion project. Project funding will be a 50/50 split between the County and the Association for the Rights of Citizens with handicaps (ARCh). The County will continue to own the building and it will be made available for rent during the times ARCh is not utilizing it.

MOTION: Schellinger moved, second by Highum to support Item 44-Camp Pow Wow Expansion as presented. Motion carried 5-0.

Item 45 Pavement Management Plan 2013-2017-Shaver explained the pavement rating system and provided visual examples depicting degrees of the pavement rating index (PCI). The goal is to maintain an average pavement PCI rating of 70 (satisfactory). In 2015 the pavement management plan increases

from \$500,000 to \$800,000 to address accelerated deterioration as a result of harsh winter conditions in 2013-2014.

Item 46 Pavement Management Plan 2018-2022-The increase to \$700,000 for years 2018-2022 is needed to ensure an average PCI of 70 is maintained.

MOTION: Hammitt moved, second by Schellinger to support Item 45-Pavement Management Plan 2013-2017 and Item 46-Pavment Management Plan 2018-2022 as presented. Motion carried 5-0.

MOTION: Batzko moved, second by Hammitt to adjourn the meeting at 10:39 a.m. Motion carried 5-0.

Respectfully submitted,

Jennifer Grant
Secretary